



# 2016

## Skatepark Expansion – Phase 2, Skate Plaza



CPA Application  
Town of Acton  
11/16/2015

## PROJECT APPLICATION FORM – 2016

**Applicant:** Town of Acton

**Submission Date:** 11/16/15

**Applicant's Address, Phone Number and Email**

**Purpose:** (Please select all that apply)

Stephen L. Ledoux, Acton Town Manager

472 Main Street

Acton, MA 01720

[sledoux@acton-ma.gov](mailto:sledoux@acton-ma.gov)

☐ Open Space

☐ Community Housing

☐ Historic Preservation

☒ Recreation

**Town Committee (if applicable):** Recreation Commission

**Project Name:** Skatepark Expansion – Phase 2, Skate Plaza

**Project Location/Address:** 66 Hayward Rd., Acton, MA

**Amount Requested:** \$175,000

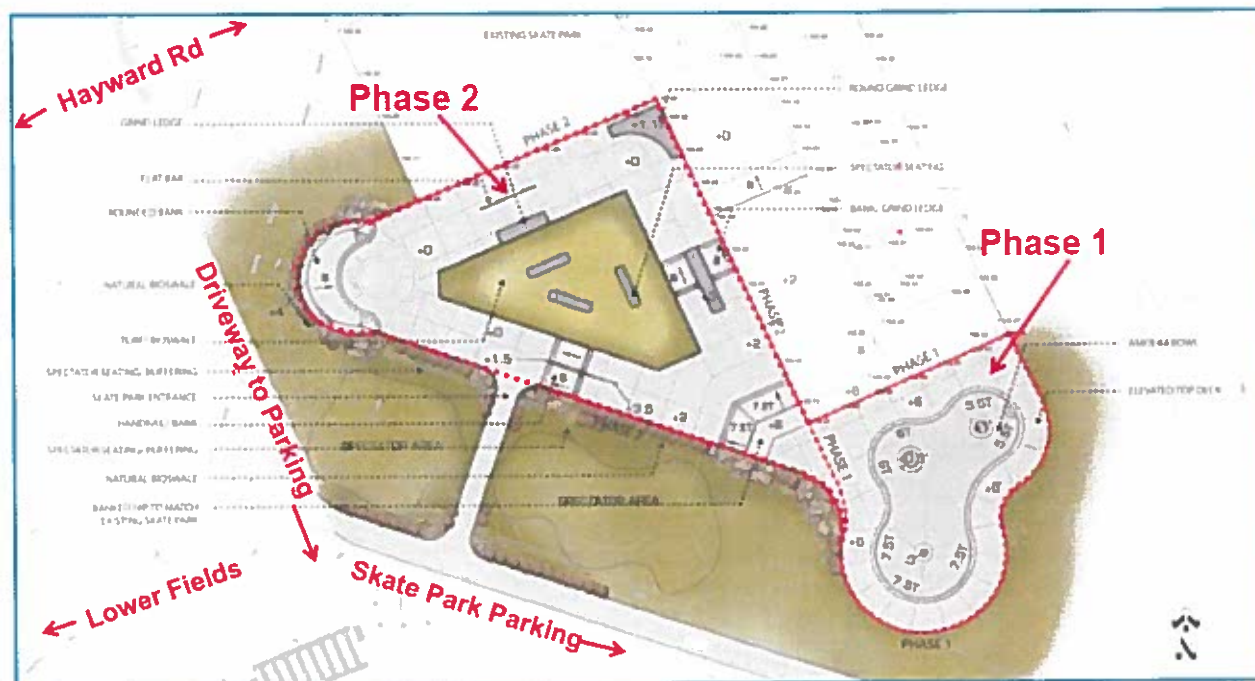
### **Project Summary:**

This project is the second phase of a two-part expansion of the T.J. O'Grady Skatepark. It allocates funds for the construction of a triangular Skate Plaza, designed by Stantec, the design and engineering team that recently was honored at the Grand Opening of the Lynch Family Skatepark in Cambridge, the first skatepark to be built in greater Boston.

Phase 2 converts the barren 100' x 100' area remaining after the original Skate Park parking lot was removed to support the Lower Fields synthetic turf field complex installation. This project will provide an attractive formal entrance and viewing area for onlookers and handicap accessible park amenities for Lower Fields patrons. It features a world-class triangular skating course around a bio-retention area.

**Estimated Date for Commencement of Project:** June 2017

**Estimated Date for Completion of Project:** August 2017



### **Narrative:**

The T.J. O'Grady Memorial Skate Park is located at 66 Hayward Road in Acton, MA. It officially opened for public use on Monday, November 21, 2005 to celebrate the life of T.J. O'Grady. T.J. was a 14-year-old Acton-Boxborough R.J. Grey Jr. High student who passed away tragically on this date in 1998 while skateboarding on a street in Boxborough. T.J. had a passion for history, friends and skateboarding. He co-founded the Grey JHS Skateboard Club. This skate park was a dream of T.J.'s and was built to provide a great place for people to safely practice their sport. Its location is key - it abuts the Acton Boxborough Regional High School grounds, enabling students to walk Hayward Rd or cross the lower fields to access it. After six years of sustained determination, the park was originally funded with an appropriation of Acton tax dollars, Community Preservation Act funds, generous donations from the corporations and citizens of Acton and the Friends of the T.J. O'Grady Committee, along with endless volunteer hours who helped bring this facility to its inception.

Ten years later, the Skate Park continues to grow. The Town of Acton donated their Skate Park parking lot and admitted an active driveway through their skate facility to benefit the Acton-Boxborough Regional High School's Lower Fields project in 2012. The skating community is excited that they too will now benefit by having Stantec, the designers of the Lynch Family Skate Park located on the banks of the Charles River under the Zakim Bridge, add exciting new features to T.J. O'Grady Skate Park. During the process of the Lower Fields upgrade, the boundaries of the Skate Park were reconfigured, enabling the Town to expand the skating features into the site of the original parking lot.

### **Neighborhood Outreach**

The Natural Resources Department completed the T.J. O'Grady Skate Park Expansion Design by Stantec, and after public engagement with interested skaters via a series of public meetings, a two-phased construction plan has emerged. Phase 1, the construction of a skate bowl, is going out to bid on November 18, 2015. It was funded by a 2012 Town of Acton CPA Skate Bowl grant for \$210,000. This Phase 1 project included the construction of 11 parking spaces and infrastructure improvements for \$110,000 in the Lower Fields parking area, that were completed in tandem with the opening of the Lower Fields facility. The remaining funds will construct the skate bowl.

The skate bowl construction groundbreaking will occur on or about June 15, 2016 and conclude by August 15, 2016. This schedule was requested by neighboring Friends of the Lower Field (FOLF), to minimize the construction's impact on their busy spring and fall seasons on the Lower Fields Complex. A similar schedule is proposed for the next phase, to be performed one year after the bowl is



completed, June 15 – August 15, 2017. This timing has proved advantageous to the Town for the construction bidding process, as a November-December bid opening is likely to be answered by more bidders, as it coincides with the conclusion of construction season.

Phase 2, construction of the skate plaza, converts the barren 100' x 100' area remaining after the removal of the original Skate Park parking lot due to the construction of the Lower Fields driveway from Hayward Rd. onto the school grounds. It provides an attractive formal entrance to the skate complex, a viewing area for onlookers and handicap accessible park amenities for Skate Park and Lower Fields patrons. It features a world-class triangular skating course around a bio-retention area.

With the installation of Phase 1, the Phase 2 skate bowl installation will complete the full expansion of the Skate Park, as designed by Stantec, a \$15,000 engineered design paid for with Recreation revolving funds.

If the project is not funded, an incomplete town skateboarding facility next to Acton Boxborough Regional High School & Friends of the Lower Fields (FOLF's) cutting edge Lower Fields facility will remain. This upgrade will bring our skate park in keeping with the appearance of the Lower Fields, which shared both the space and the cost of the parking area with the Skate Park.

**Cost Estimate:**

Skate Park Expansion Design from Stantec: (See Cost Estimate - Final Plan View Render, Stantec)

- PHASE 1: 1,730 S.F Bowl Section - \$ 75,000 (updated from \$70,000 in 2014)  
Project 12/17/15-961 has a bid opening on 11/18/15 with a 12/17/15 deadline.
- PHASE 2: 4,000 S.F. Plaza Section - \$175,000 - applying for 2016 CPA funding  
\$160,000 for the plaza construction (same as 2014 estimate), and \$15,000 for landscaping.

**Leveraged funds:**

- The Recreation Department paid for the \$15,000 overall design engineered by Stantec.
- Mitzi Garcia-Weil of the Boxborough Recreation Commission has applied for a \$40,000 Boxborough CPA grant; the submittal date was October 29, 2015.

**Site Control:**

T.J. O’Grady Skatepark is a municipally owned property, overseen by the Natural Resources Department, located at 66 Hayward Rd. in Acton, abutting the Acton-Boxborough Regional High School Lower Fields. Please refer to attached documents, including the Skatepark deed and maps.

**Feasibility:**

The Natural Resources Dept. will file with the Conservation Commission to obtain permission to do the necessary site preparation to install the skate bowl. Natural Resources completed similar filings for the original skatepark installation in 2004-2005, and more recently for the playground restoration at Elm Street Playground, 19 Elm Street, Acton, MA.

**Justification:**

This project is slated for completion in the Town of Acton Open Space and Recreation Plan, 2014-2021. Under 9.C.5 – “Create new facilities and improve existing ones,” T.J. O’Grady Skatepark is listed with the 2012 action plan to “Construct new skate bowls”. The original conceptual plan for skate bowl installation called for multiple skate bowls of varying depth and difficulty. The final skate park plan addresses the need for providing varying levels of challenge by designing a single amoeba-shaped bowl with varying depth and a skate plaza that can bring a novice skater even greater opportunity to learn and refine their skills.

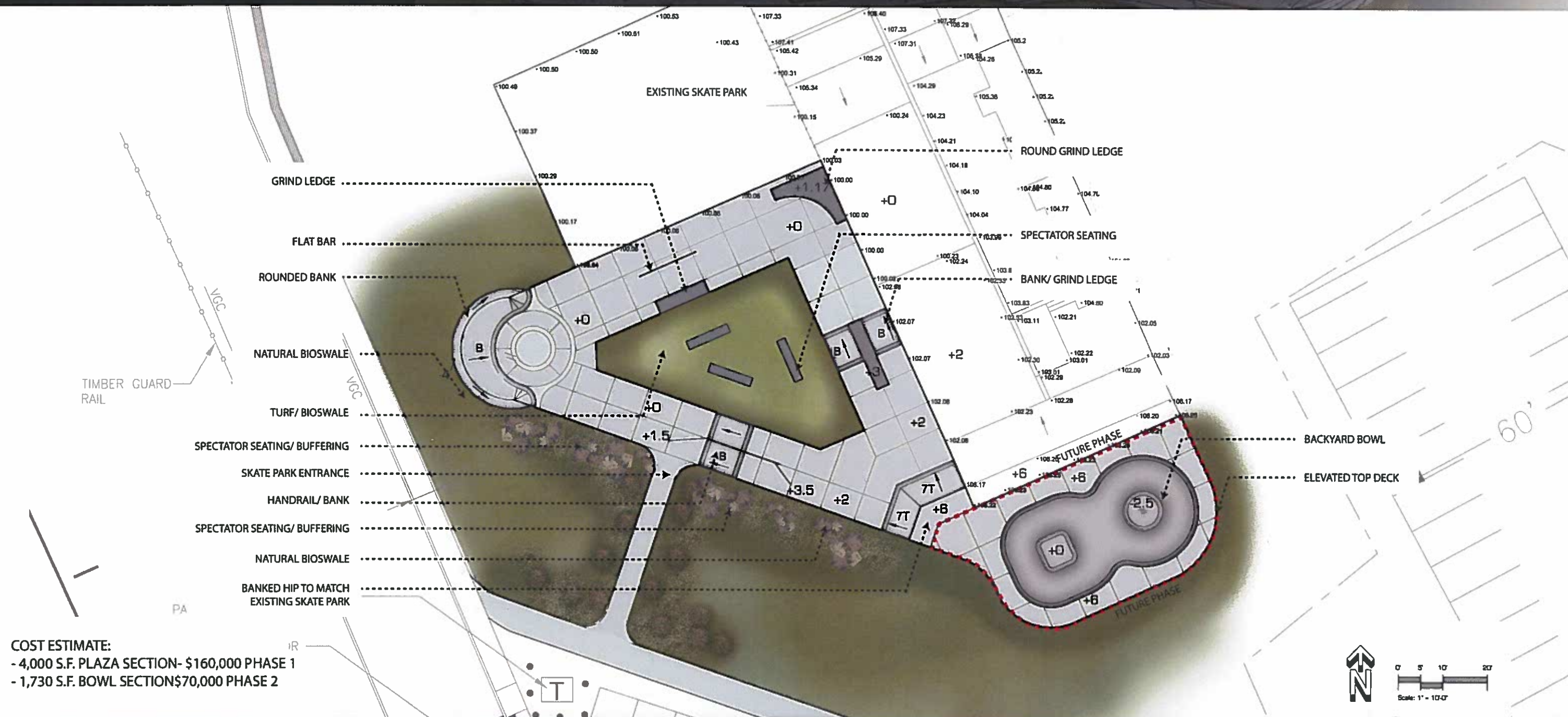
With the opening of the Lynch Family Skatepark in Cambridge, Acton has the opportunity to be one of the training grounds for this brand new world-class facility. The most important message stated at the grand opening on Saturday, November 14, 2015 of this magnificent skateboarding facility located under the Zakim Bridge was that it provides a safe place for youth to practice their sport. Indeed, this is the heart of the T.J. O’Grady Skatepark, and other non-traditional facilities like the Joseph Lalli Miracle Field; to service ALL the youth and adult athletes in our community with safe facilities, not only the ones that wear numbers on their back.



**Acton Recreation and Stantec at Lynch Family Skatepark Grand Opening, 11/14/2015**  
**Left to right: Kanten Russell, Stantec; Cathy Fochtman; Melissa Rier; Mike McIntyre, Stantec**



T.J. O'GRADY SKATE PARK EXPANSION  
TOWN OF ACTON, MA  
PLAN VIEW RENDER



COST ESTIMATE:  
- 4,000 S.F. PLAZA SECTION- \$160,000 PHASE 1  
- 1,730 S.F. BOWL SECTION\$70,000 PHASE 2

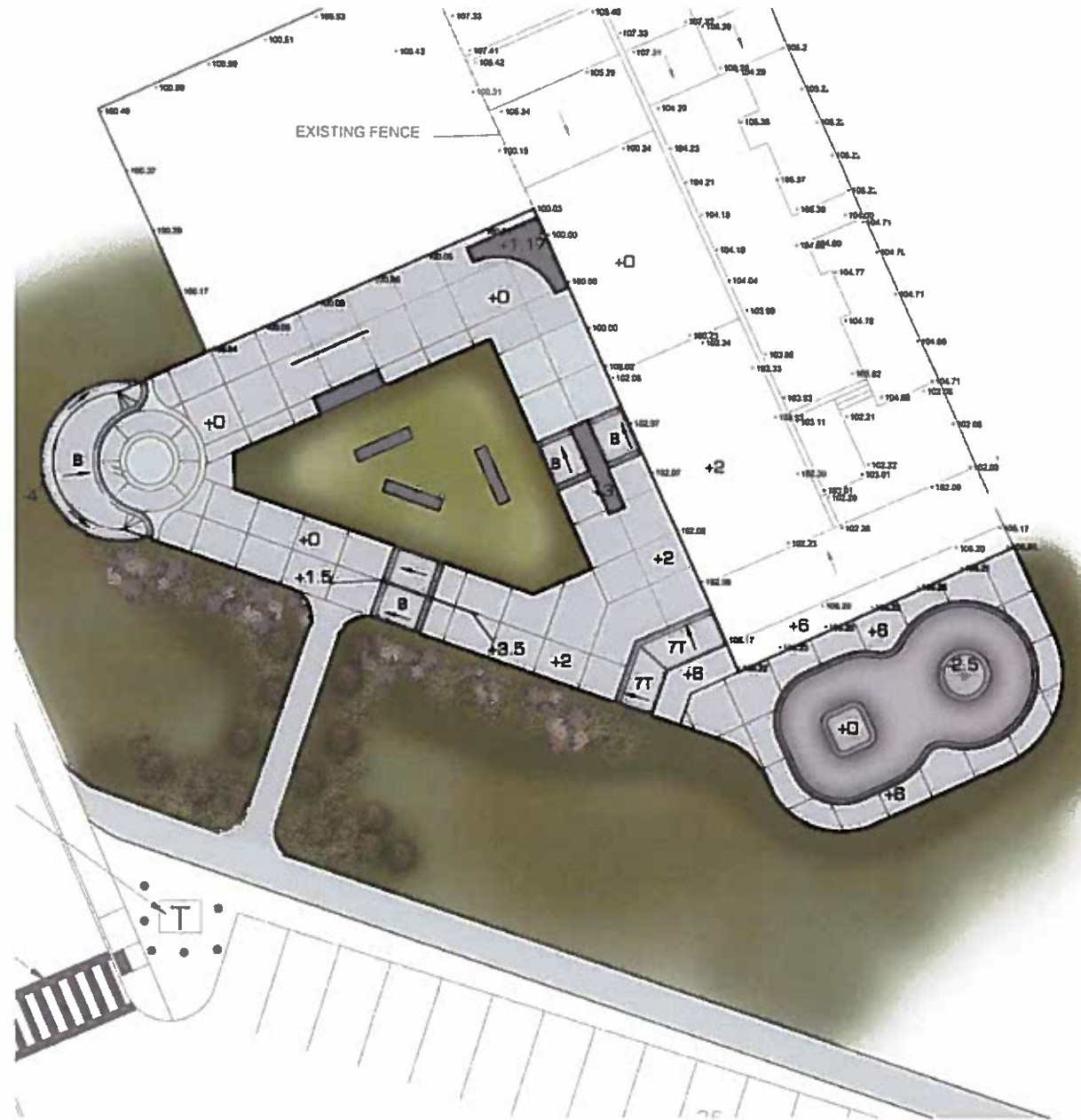


226 Causeway Street | Boston, MA 02114  
(ph) 858.633.4233 | (cell) 760.815.9335



# T.J. O'GRADY SKATE PARK EXPANSION TOWN OF ACTON, MA

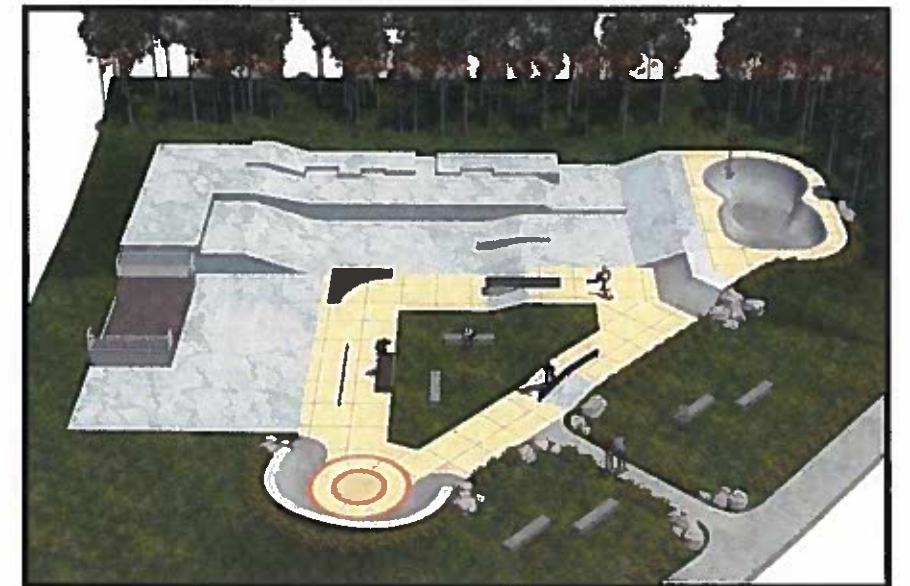
## 3D RENDERINGS



PLAN VIEW RENDER



3D RENDER #1



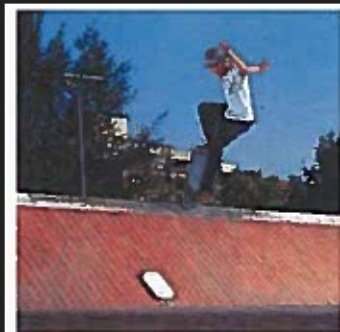
3D RENDER #2



3D RENDER #3



3D RENDER #4



SKATE INSPIRATION



226 Causeway Street | Boston, MA 02114  
(ph) 858.633.4233 | (cell) 760.815.9335



**PROJECT NUMBER 12/17/15-961**  
**INVITATION FOR BIDS**  
**ACTON SKATE PARK EXPANSION – PHASE I SKATE BOWL**  
**ACTON, MASSACHUSETTS**

The Town of Acton will receive sealed bids in accordance with M.G.L. c. 30, § 39M, from general contractors for the construction of the Acton Skate Park Expansion – Phase I Skate Bowl at 66 Hayward Road, Acton (the “Project”) **until December 17, 2015, at 3:00 pm** at the Office of the Town Manager, Town of Acton, 472 Main Street, Acton, MA 01720. Bids received after this time will not be accepted. Bids will be opened and read publicly immediately after the specified closing time. All bidders will be notified of the apparent low bidder.

The Project value is estimated to be \$75,000. Prevailing Wages, as determined under M.G.L. c. 149, § 26-27H shall apply on this project. Materials, equipment and supplies used on this project are exempt from sales tax to the extent provided by M.G.L. c. 64H, § 6(f).

Contractors may obtain the Project Plans and Specifications, Instructions to Bidders and Bid Forms on and after November 18, 2015, on line from [www.biddocsonline.com](http://www.biddocsonline.com) (documents may be viewed electronically and hard copy requested) or at Nashoba Blue, Inc. at 433 Main Street, Hudson, MA 01749 (978-568-1167). Contractors wishing to obtain plans must submit a plan deposit of \$50 per set (maximum of 2 sets) payable to BidDocs ONLINE Inc. Deposits may be electronically paid or must be a certified or cashier's check. This deposit will be refunded for up to two sets for general bidders and for one set for sub-bidders upon return of the sets in good condition within thirty days of receipt of general bids. Otherwise the deposit shall be the property of the Town of Acton. Additional sets may be purchased for \$50. Bidders requesting Contract Documents to be mailed to them shall include a separate check for \$40.00 per set for UPS Ground (or \$65.00 per set for UPS overnight), payable to BidDocs ONLINE Inc. to cover mail handling costs.

There will be a pre-bid walk-through at the site at 10:00AM on December 3, 2015, at 10 am. Copies of Addenda will be mailed or delivered to bidders.

Each Bid must comply with the Instructions to Bidders and accompanied by a Bid Security in the amount of 5% of the bid. A bid security may consist of a Bid in a form satisfactory to the Town of Acton with a surety company qualified to do business in the Commonwealth of Massachusetts; Cash; or Certified, Treasurer's or Cashier's Check issued by a responsible bank payable to the Town of Acton.

The successful Bidder must furnish a 50% performance bond and a 50% payment bond with a surety company acceptable to the Town of Acton.

The Project is expected to commence on or about June 15, 2016, and be completed on or about August 15, 2016. Time is of the essence for the completion of this project

Proposals shall only be submitted on the provided forms and returned in a sealed envelope plainly marked with the bidder's name. Bids shall be lump-sum basis. Segregated bids will not be accepted.

The contract will be awarded to the bidder deemed by the Town of Acton to be the lowest responsible and eligible bidder. Selection of the successful bidder will be based upon bidder qualifications, including evidence of past performance on similar projects and bid price. The Contract award may be subject to the availability of funding.

The Town of Acton reserves the right to reject any proposal which, in its judgment, fails to meet the requirements of this Invitation for Bids or which is incomplete, conditional, or obscure, or which contains additions or irregularities, or in which errors occur in addition to the foregoing. The Town of Acton also reserves the right to reject any and all proposals if it deems such rejection(s) to be in the best interest of the Town. The Town of Acton also reserves the right to waive any minor discrepancies or informalities, to permit a bidder to clarify discrepancies or to conduct discussions with all qualified bidders in any manner necessary to serve the best interests of the Town. Any fees or other expenses of the bidders associated with this Invitation for Bid process are solely the responsibility of the bidders.

No bidder may withdraw its bid within thirty (30) days (Saturdays, Sundays and Holidays excluded) after the date designated above for the opening of the bids. Any bid submitted will be binding for thirty (30) days after the time of bid opening.

All telephone calls and correspondence in connection with this Project should be addressed to Cathy Fochtman, Recreation Director, at 978-929-6640 or by email to [cfochtman@acton-ma.gov](mailto:cfochtman@acton-ma.gov).

The Town of Acton is an affirmative action/equal opportunity employer, and encourages participation from certified minority and women-owned businesses in this Invitation for Bid.

Town of Acton  
Town Manager  
Steven Ledoux



# T.J. O'GRADY SKATE PARK EXPANSION

## DESIGN VISIONING WORKSHOP

Acton, MA – The Town of Acton Recreation Department will be holding a 2<sup>nd</sup> design visioning workshop to gather information from the community in planning the future design of the T.J. O'Grady Skate Park.

**When:** Wednesday, September 17, 2014

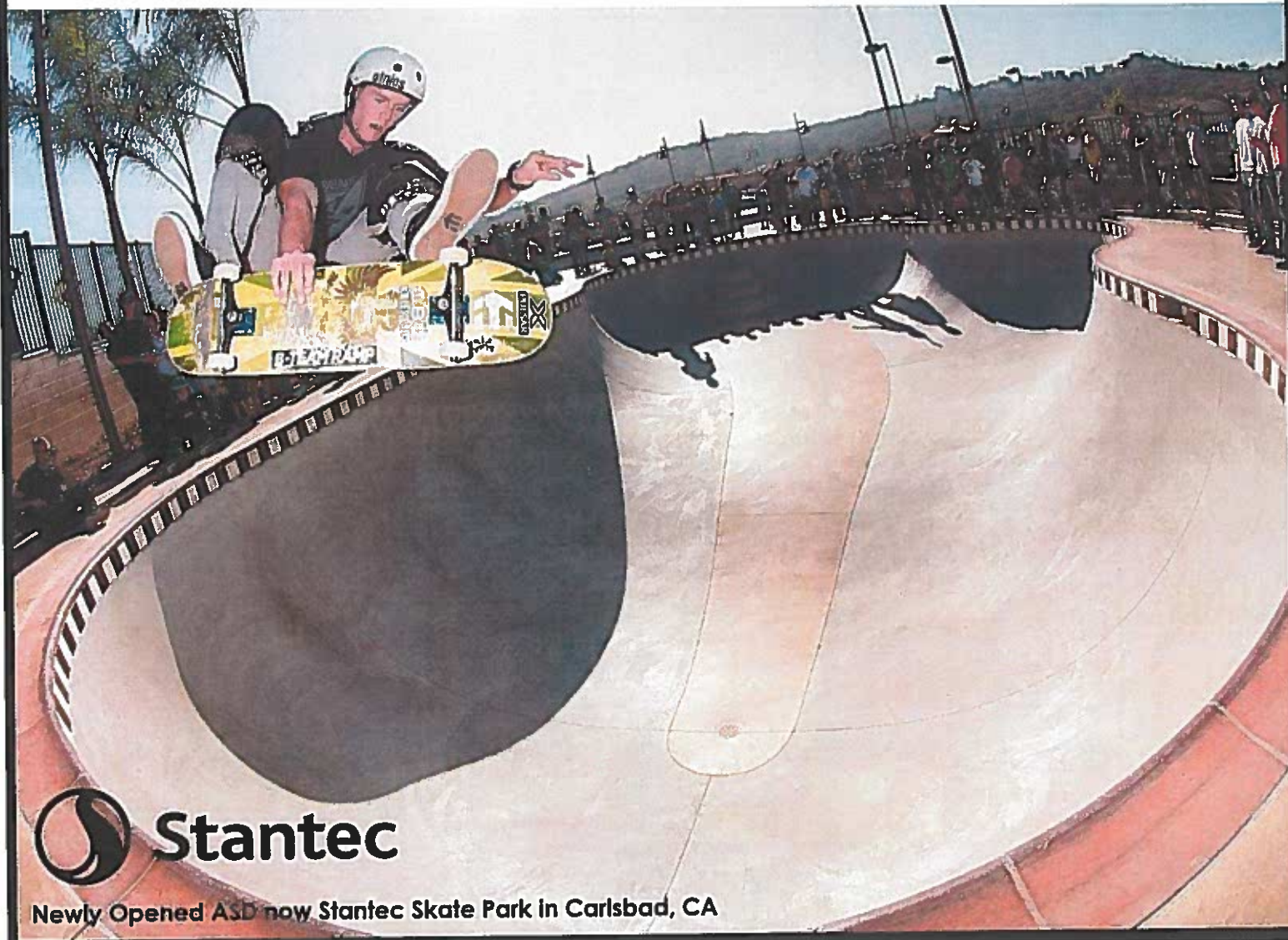
**Where:** Public Safety Facility (Police Station) EOC Room

371 Main Street

Acton, MA 01720

**Time:** 6:00pm

**Facilitated by:** Mike McIntyre & Jarod Kershek from Stantec's Action Sport Group



Newly Opened ASD now Stantec Skate Park in Carlsbad, CA

Catherine Fochtman

**From:** Kershek, Jarod [Jarod.Kershek@stantec.com]  
**Sent:** Wednesday, October 01, 2014 9:24 AM  
**To:** Tom Tidman; Catherine Fochtman; Melissa Rier  
**Cc:** Russell, Kanten  
**Subject:** T.J. O'Grady Skate Park Expansion- Phase 1 Final Design  
**Attachments:** T.J. O'GRADY SKATE PARK EXPANSION\_PLAN VIEW RENDER.pdf

All,  
I have attached the final design for the skate park expansion phase 1 per public meeting input. The overall consensus was to go with the amoeba bowl design which we have rotated slightly to allow for grading and berming. We would like to move into construction documents as soon as we get approval for this final design. Let me know if you have any comments/ questions.

Thanks,  
Jarod

Jarod Kershek  
ASLA, Sport Group  
226 Causeway Street, 6<sup>th</sup> Floor  
Boston, MA 02114  
Phone: 617-654-6037  
[Jarod.kershek@stantec.com](mailto:Jarod.kershek@stantec.com)



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## Town funds will put skate park over the top

### Friends honor teen who died in 1998 crash

Rich Stewart, 18, Patrick Hanlon, 19, and Simon Metcalf, 19, have been helping to raise funds for the T.J. O'Grady Memorial Skate Park in Acton for five years -- more than one quarter of their young lives.

Their perseverance and that of other teen and adult volunteers is soon to pay off, as the first section of the park will be built and opened this summer.

**"It has been a long time coming," Metcalf said in an interview last week.**

Last week, Acton's annual Town Meeting appropriated from Community Preservation Funds the final \$67,000 needed for construction to begin. The town, which will oversee the park, will put the project out to bid within the next month, according to Tom Tidman, director of natural resources. "I think the kids have done a great job," Tidman said. "They've raised \$90,000" in private donations.

The project began soon after the death in November 1998 of T.J. O'Grady, a student from Boxborough who attended the regional R.J. Grey Junior High School in Acton. O'Grady, 14, died after being struck by a car while skateboarding down a residential road in Boxborough.

Lori O'Grady said in an interview last week that, after her son's death, donations in his memory were given to the junior high skateboarding club of which he was a member. She said that the club members got together and decided they wanted to use the money to build a skateboard park. "They came to me," she said. "It was their idea."

Metcalf said that he thinks the park is an appropriate way to remember his friend. "He loved to skateboard, and this is his legacy," Metcalf said. He also said that "this town needs a place to skate" and that the new park "will give all the kids in the future a place to go."

Jane Shurtleff, fund-raising chairwoman for the T.J. O'Grady Memorial Skateboard Park Committee, said that some of the initial committee members, who were in junior high school when the project began, have now graduated from high school and gone on to college, but have remained involved with the project.

Shurtleff joined the committee along with her son, Ben, who was a year behind O'Grady in school and was also a skateboarder. "We didn't think twice about getting involved; it was the right thing to do," she said.

Through the years, the committee has placed collection cans at stores around town, held fund-raising concerts and events, sold T-shirts, solicited businesses, and given presentations to community organizations.

In 2001, Acton appropriated \$80,000 for the park, but Boxborough Town Meeting turned down a request for \$40,000 last year. "They have a lot of budget concerns," Shurtleff said. "They ended up not passing a number of things."

**She said that the \$237,000 raised to date is enough to build the park, except for a bowl area for which the committee will continue to seek an additional \$50,000 in funding from private sources.**

At Acton's Town Meeting last week, Walter Foster, chairman of the Board of Selectmen, said that the skate park project met the Community Preservation Committee's goal of using the preservation

act funds to leverage privately raised funds. Community preservation funds are generated by a surcharge on real estate taxes and state matching funds. Foster also said, however, that, although the makeup of the committee can change, "This committee was very clear that \$67,000 would be it."

The park will be built on a 1-acre parcel of land at 66 Hayward Road, within walking distance of both the junior high and the Acton-Boxborough Regional High School. "We couldn't have asked for a better location," Hanlon said. Although the park was designed with skateboarders in mind, inline skaters will be able to use it, too.

Tidman said that the town purchased the land, which is near Route 2, from the state for \$2,500 last year. The spot has already been cleared of rocks and trees, thanks to the donation of labor from local businesses and the town, and is marked with a sign announcing the site's future use. Shurtleff said that the committee hopes to open the park in July.

"The original idea was something smaller, but it just ballooned," Hanlon said. "It will be an amazing place to skateboard."

Tidman said that the town's Recreation Department will oversee use of the park. "It will draw a group of kids who don't have a very powerful voice otherwise," Tidman said. "It's not the kids who wear numbers on their backs and are into team sports, but the kids who are more individual in terms of their approach to their leisure time and what they do for fun."

Sally Heaney can be reached at [heaney@globe.com](mailto:heaney@globe.com) ■

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Funding put on hold for T.J. O'Grady Memorial Skate Park

COMMENT 0

0

The T.J. O'Grady Skate Park in 2007. COURTESY PHOTO

By Molly Loughman

mloughman@wickedlocal.com

Posted Mar. 5, 2015 at 12:00 PM

ACTON

Built in memory of a 14-year-old R.J. Grey Junior High student who died while skateboarding in Boxborough, the nearly decade-old T.J. O'Grady Memorial Skate Park will have to wait another year for construction completion.

The Acton Recreation Department applied this year for a \$160,000 Acton Community Preservation Act (CPA) grant to help bring the skate plaza to fruition. Boxborough's Recreation Commission offered to bring an article to Town Meeting to fund \$40,000 of the \$160,000 cost of the skate plaza.

However, last week, the Acton Community Preservation Committee opted to defer funding this year for the skate plaza, located at 66 Hayward Road in Acton, with the expectation that next year the project is leveraged with CPA contributions from both Acton and Boxborough.

On Feb. 23, Boxborough selectmen voted to support securing a placeholder for the skate park expansion project as a warrant article for its Town Meeting in May. However, according to Boxborough selectman Chairman Vincent Amoroso, the town just adopted CPA in November and just constituted its committee effectively in January.

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"Given the process that has to happen and the short time period we have, it seems unlikely we'd be able to get (Boxborough's) CPC request on the warrant for this May. We may be looking at a special Town Meeting," said Amoroso.

The recreation departments from both towns and the Boxborough Recreation Commission will be working to publicize the project, gain support and bring it to a successful completion in 2016, according to Acton Recreation Department Director Cathy Fochtman.

The T.J. O'Grady Memorial Skate Park officially opened for public use Nov. 21, 2005, to celebrate the life of Grady, a Boxborough resident and avid skateboarder who was killed by a car on Swanson Road in Boxborough in 1998. With a passion for history, friends and skateboarding, Grady co-founded the Grey JHS Skateboard Club.

"A skate park was a dream of T.J.'s and friends and concerned citizens realized that a safe place to skateboard would help to prevent similar tragedies; thus the T. J. O'Grady Memorial skate Park, Inc. fund was born," said Fochtman. "Much of the approximately \$285,000 in funding for the park came from donations, with the Town of Acton appropriating \$80,000 in 2001 and another \$67,000 in 2004 from CPA funds."

Acton purchased the one-acre parcel abutting the Acton-Boxborough Regional High School (ABRHS) grounds from the state for \$2,500. It was then selected after an exhaustive search considering potential sites. A Boxborough Town Meeting article to contribute \$40,000 was defeated in 2003, said Fochtman.

Fochtman said the construction of the ABRHS Lower Fields project in 2012, consisting of artificial turf fields and a parking area, included a new driveway from Hayward Road into the new Lower Fields parking area. In accommodating the new construction, the skate park's circular parking area was removed, leaving a 100-foot by 100-foot barren area.

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# Funding put on hold for T.J. O'Grady Memorial Skate Park

COMMENT 0

Recommend 1

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The T.J. O'Grady Skate Park In 2007. COURTESY PHOTO



Page 2 of 2 - As a result, Acton appropriated \$210,000 of CPA funds for the skate park toward the construction of a skate bowl and reconstruction of the 11 parking spaces removed by the Lower Fields project. The parking spaces were constructed and the skate bowl will be completed this year, said Fochtman.

The Town of Acton Recreation Department hired Action Sports Design/Stantec to design and engineer the new skate park features. The design calls for the construction of a single multilevel skate bowl and a triangular skate plaza to take best advantage of the barren space, and create a park entrance with onlooker seating.

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RELEASE DEED

The **COMMONWEALTH OF MASSACHUSETTS**, acting by and through its Division of Capital Asset Management with a mailing address of One Ashburton Place, Boston, MA 02108, on behalf of the Massachusetts Department of Highways, ("MassHighway") hereinafter the "Grantor," acting under the authority of Sections 40E through 40J inclusive of Chapter 7 of the General Laws, as amended, and Section 7E of Chapter 81 of the General Laws, as amended, for consideration of Two Thousand Five Hundred Dollars (\$2,500.00) paid, the receipt of which is hereby acknowledged and the covenants contained herein, does hereby release to the Town of Acton, a body politic, Incorporated 1735 AD, with a mailing address of 472 Main Street, Acton, Massachusetts 01720 hereinafter, the "Grantee," all right, title and interest of the Grantor, if any, in a certain parcel of land in the Town of Acton, County of Middlesex, Commonwealth of Massachusetts, identified as Parcels SR-1 and SR-2 (the "Premises") on a plan entitled "THE COMMONWEALTH OF MASSACHUSETTS; PLAN OF LAND IN THE TOWN OF ACTON, MIDDLESEX COUNTY, Scale 40 FEET TO THE INCH, dated and approved December 18, 2002 and signed by Thomas J. Broderick, P.E., Chief Engineer (the "Plan") an attested copy to be recorded herewith and further identified as Parcels SR-1 and SR-2 on a plan entitled "Plan of Land in the Town of Acton, Middlesex County" prepared for the Commonwealth of Massachusetts Division of Capital Asset Management and Maintenance, by Stamski and McNary, Inc. dated January 21, 2003, also being recorded herewith.

PARCEL SR-1

A parcel of land in the Town of Acton, comprising a portion of the March 14, 1950 State highway layout (Layout No. 3713) of Route # 2 and a portion of the September 26, 1950 Town Layout (Layout No. 3781-Section 2) of Hayward Road, and bounded by the line described as follows:

Easterly	By the southwesterly location line of the March 14, 1950 State highway layout (Layout No. 3713) of Route # 2, 311.08 feet thence;
Southerly	By land of the Acton-Boxborough Regional School District, by four courses measuring 108.55 feet, 60.22 feet, 49.32 feet and 165.88 feet, respectively, thence;
Westerly	By land of the Commonwealth of Massachusetts also known as Parcel SR-2 hereinafter described, 105.64 feet, thence:

125.00

515

125.00 515 125.00 515 125.00 515

Locus: off Rte 2 & Hayward Rd, Acton, MA 01720

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30K  
1.R.

SEE PLAN IN RECORD BOOK PAGE

SEE PLAN IN RECORD BOOK PAGE



**Northerly** By the southerly location line of the September 26, 1950 Town layout (Layout No. 3781) of Hayward Road, by two courses measuring 55.57 feet and 151.66 feet, respectively.

Said parcel consisting of a total of 50,216 square feet more or less, (1.15 +/- acres) according to the Plan.

**PARCEL SR-2**

A parcel of land situated on the northeasterly side of Route # 2 at Haywood Road the Town of Acton, County of Middlesex, Commonwealth of Massachusetts being bounded and more particularly described as follows:

**Easterly** By land of the Commonwealth of Massachusetts also known as Parcel SR-1 herein before described, 105.64 feet; thence

**Southerly** By land of the Acton-Boxborough Regional School District, 358.31 feet, thence;

**Northerly** By the southerly location line of the September 26, 1950 Town layout (Layout No. 3781 - Section 2) of Hayward Road, by two courses measuring 355.42 feet and 1.13 feet, respectively.

Said parcel consisting of a total of 18,655 square feet, more or less (0.43 +/- acres) according to the Plan.

Being a parcel of land identified as Parcel 14 in a Commonwealth of Massachusetts Order of Taking dated, March 14, 1950 Layout 3713 recorded with the Middlesex County Registry of Deeds in Book 7553, Page 402 (Plan Book 346 of 1950) and as Parcel 6 in a Commonwealth of Massachusetts Alteration dated June 14 1950 Layout Number 3781 and recorded with the Middlesex County Registry of Deeds in Book 7647, Page 76 - Section 2 (Plan 1736 of 1950) acquired from the Heirs of Mary T. Coughlin.

By acceptance of this Deed, and as partial consideration thereof, the Grantee, on behalf of itself, its successors, and its assigns, hereby agrees to be bound by the following conditions:

1. The Premises shall be dedicated to Open Space and Recreational purposes only. In the event that any portion of the Premises is used for any purpose other than for open space or recreational purposes the title to the property shall immediately revert back to the Commonwealth of Massachusetts.

2. The Town shall comply with the Massachusetts Environmental Policy Act (MEPA) requirements and any other applicable state and federal environmental laws and regulations. Any potential wetlands issues or storm-water treatment from Route # 2 shall be addressed by way of a drainage easement or an on site retention basin.
3. No Access shall be permitted from the Premises to the Concord Turnpike (Route # 2) from the Premises to maintain safe and efficient traffic operations at this location. Access shall be from a newly created access break on Hayward Road.

It is the intent of the Parties hereto that all conditions herein shall run with the land and be deemed to be made for valuable consideration.

The Premises herein described are no longer needed for highway purposes. Said Parcels SR-1 & SR-2 were formally declared excess to highway needs on June 5, 2001 by vote of the Board of Commissioners of the Massachusetts Department of Highways.

This conveyance is made subject to and with the benefit of the rights, restrictions, and easements of record, if any, insofar as these are now in force and applicable.

Note, with respect to all references to the Department of Public Works, Chapter 552 of the Acts of 1991 changed the name of the Department of Public Works to the Department of Highways.

Note, with respect to the grantor clause, Chapter 7, Section 40E of the General Laws provides that real property, record title to which is held in the name of a state agency or similar board of a state agency, shall be deemed to be real property of the Commonwealth. Additionally, Section 40E provides that the Commissioner of the Department of Asset Management and Maintenance shall exercise the powers set forth in Chapter 7.

IN WITNESS WHEREOF, the Commonwealth of Massachusetts has caused these presents to be signed, sealed, acknowledged and delivered in its name and behalf by David B. Perini, Commissioner, Division of Capital Asset Management and Maintenance, this 28th day of Feb, 2003.

  
David B. Perini

Commissioner - Division of Capital  
Asset Management and Maintenance



**THE COMMONWEALTH OF MASSACHUSETTS**

SUFFOLK, ss

Boston

*February 28*, 2003

Then personally appeared the above-named, David B. Perini, Commissioner, Division of Capital Asset Management and Maintenance and acknowledged the foregoing instrument to be his free act and deed as said Commissioner, before me.

*John Vallerelli*  
Notary Public  
*FRANK A. Vallerelli*  
Name

COMEX DATE: *December 15, 2006*

The undersigned certifies under the penalties of perjury that I have fully complied with the provisions of Section 40F½ and 40H of Chapter 7 of the General Laws in connection with the property described herein.

*David B. Perini*  
David B. Perini  
Commissioner - Division of Capital  
Asset Management and Maintenance

Date: *Feb 28*, 2003

Pursuant to the provisions of Section 7E of Chapter 81 of the Massachusetts General Laws (Ter. Ed.):

APPROVED:

W. MITT ROMNEY, GOVERNOR  
(see attached)

Pursuant to the provisions of Section One of Chapter 64D of the Massachusetts General Laws (Ter. Ed.), as amended, by Chapter 198 of the Acts of 1978, and Chapter 133 of the Acts of 1992 no excise stamps are affixed.



THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE DEPARTMENT

STATE HOUSE • BOSTON 02133

(617) 725-4000

MITT ROMNEY  
GOVERNOR

KERRY HEALEY  
LIEUTENANT GOVERNOR

January 31, 2003

David B. Perini  
Commissioner  
Division of Capital Asset Management  
One Ashburton Place  
Boston, Massachusetts 02108

Dear Commissioner Perini:

Pursuant to M.G.L. c. 81, § 7E, I hereby grant permission to the Division of Capital Asset Management to lease, or transfer by sale or otherwise subject to M.G.L. c. 7, §§ 40A-40J, real property that the Board of Commissioners of the Massachusetts Highway Department has determined to be no longer necessary for state highway purposes. This authorization shall be effective until December 31, 2003.

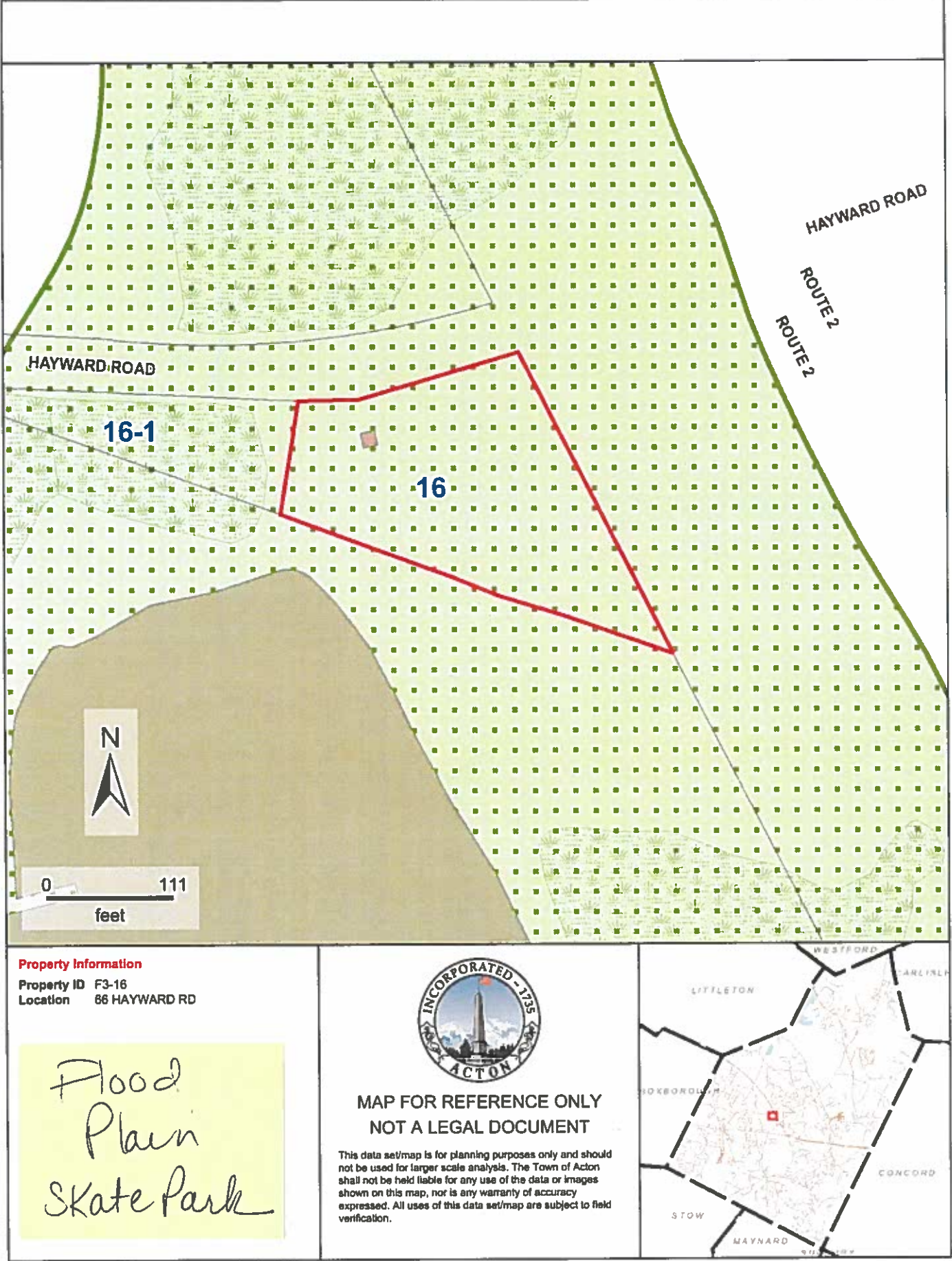
Sincerely,

A handwritten signature in black ink, appearing to read "Mitt Romney", written over a horizontal line.







Mitt Romney  
Governor








FLOOD ZONES

-  2014 FEMA Floodway
-  2014 FEMA Flood Zone - 100-year flood zone
-  2014 FEMA Flood Zone - 500-year flood zone
-  2010 FEMA Floodway
-  2010 FEMA Flood Zone- 100-year flood zone
-  2010 FEMA Flood Zone - 500-year flood zone

NATURAL RESOURCES

-  DEP RIVERS & STREAMS
- DEP WETLANDS
  -  WET AREAS
  -  PONDS

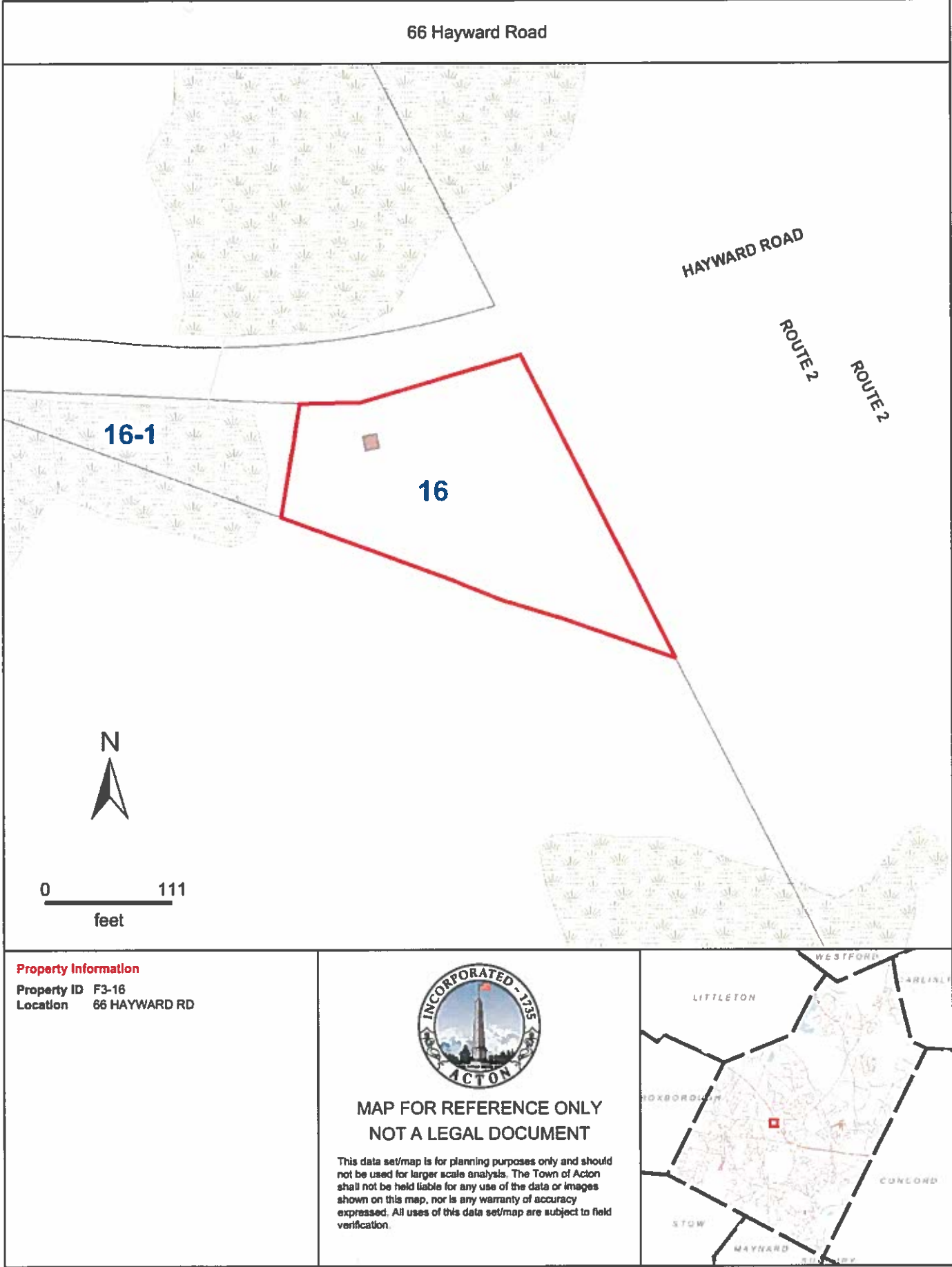
BASE MAP

-  POOLS
- STRUCTURES
  -  BUILDING
  -  DECK
  -  FOUNDATION
  -  FUEL TANK
  -  MOBILE
  -  PORCH
  -  RUINS
  -  SMOKESTACK
  -  WATERTANK
-  SPORTS FACILITY / AREAS





TOWN DATA

- POINTS OF INTEREST
  -  CONSERVATION
  -  HISTORICAL
  -  MUNICIPAL
  -  OTHER GOVERNMENT
  -  PUBLIC SAFETY
  -  RECREATION
  -  SCHOOL
-  PARCELS
-  TOWN BOUNDARY





STRUCTURES

-  BUILDING
-  DECK
-  FOUNDATION
-  FUEL TANK
-  MOBILE
-  PORCH
-  RUINS
-  SMOKESTACK
-  WATERTANK

PARCELS

DEP WETLANDS

-  WET AREAS
-  PONDS

DEP RIVERS & STREAMS

TOWN BOUNDARIES